

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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WELLINGTON LUNA DE LA CRUZ,

Petitioner,

v.

WARDEN E. EMMERICH,<sup>1</sup>

Respondent.

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ORDER

Case No. 24-cv-346-wmc

Petitioner Wellington Luna De La Cruz seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner has neither paid the \$5 filing fee nor requested leave to proceed without prepayment of the filing fee. For this case to move forward, petitioner must pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than June 20, 2024. Any motion for leave to proceed without prepayment of the filing fee must include a certified copy of an inmate trust fund account statement (or institutional equivalent) for the six-month period beginning approximately November 23, 2023 through the date of the petition, May 23, 2024.

ORDER

IT IS ORDERED that:

1. Petitioner Wellington Luna De La Cruz may have until June 20, 2024, to pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee.

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<sup>1</sup> I have replaced respondent FCI Oxford, Warden in the case caption with Warden E. Emmerich, the current warden of Oxford Federal Correctional Institution.

2. If petitioner does not submit either the \$5 payment or a motion for leave to proceed without prepayment before June 20, 2024, I will assume that petitioner wishes to withdraw this petition.

Entered this 23rd day of May, 2024.

BY THE COURT:

/s/  
ANDREW R. WISEMAN  
United States Magistrate Judge